

NATIONAL GUARD FORCES WIPED OUT, RULES U. S. JUDGE ADVOCATE GENERAL, SUPPORTED BY THE SECRETARY OF WAR

Officers and Men of the Old State Organizations
Will Revert to Civilian Status When They Are
Discharged from the Federal Service—Com-
missions Are Canceled.

RULING WAS SUBMITTED ON GEN. MARCH'S INQUIRY

CALL OF GOVT. WIPES OUT STATE MILITIA

All Who Were Drafted Under
the President's Proclamation of July 3, 1917,
Will Be Affected by the
New Interpretation.

Washington, D. C., Dec. 24.—An opinion of the judge advocate general's office, approved by the secretary of war, holds that officers and enlisted men of the National Guard will revert to civilian status when discharged from the federal service. The effect of the ruling practically is to wipe out the existence of the National Guard as it was organized prior to the war.

The opinion, rendered by Brigadier General Samuel T. Ansell, who has been acting judge advocate general since Major General Crowder was appointed provost marshal to handle the draft, was made public to-day by the war department.

General March, chief of staff, on Dec. 20, asked for an opinion as to the status of members of the National Guard subsequent to their discharge from the federal service. His memorandum called attention to a digest of an opinion of the judge advocate general dated January, 1918, in which it was said that when the guardsmen were "mustered out" of the federal service they would revert to their militia status and also to their status in the National Guard.

General Ansell in his decision pointed out that this opinion was based on discharge and not upon discharge, and added:

"As a matter of fact, the opinion in the digest in which this sentence occurs holds without qualification that the draft of a member of the National Guard into the federal service absolutely discharges him from the militia, which includes the National Guard. Furthermore, this office has held that a commission in the temporary forces is incompatible with a commission in the National Guard and operates to cancel the commission in the National Guard."

"It is, therefore, the opinion of this office that former members of the National Guard, both officers and enlisted men, who entered the service by draft under the president's proclamation of July 3, 1917, will, when discharged from the federal service, revert to a civilian status and will not revert to their former status as members of the National Guard."

The practice of the war department, since demobilization began has been to give honorable discharges to men of the National Guard just as regular and national army men are discharged to return to peace-time pursuits. If this were done in every case the result would be to end the existence of nearly every guard unit in the country except a few organized after the guard was drafted into the federal service.

Some State Guards May Seek to Retain Identity.

Mustered out as units without discharge may make reorganization unnecessary. This undoubtedly will be sought insistently, particularly in the case of famous guard organizations with treasured histories and traditions. There has been no announcement as yet of the department's policy.

When federation of the National Guard was enacted in the national defense act of 1916, a dual oath of allegiance for the members of that service was required, allegiance primarily to the federal government and secondarily to the state government being sworn by officers and men alike.

The language of the national defense act, however, is specific in stating that when the National Guard draft has been applied by the president, the members of the guard then are discharged from the militia of the country. The purpose aimed at was to make the National Guard after draft a force that could be employed outside the country, which could not be done under the constitution while its members remained in the militia.

TO HOLD ITS MILITIA.

New York State Will Offer Inducement to Men to Form N. G.

Albany, N. Y., Dec. 24.—New York state authorities will offer every inducement to men to form N. G. Albany, N. Y., Dec. 24.—New York state authorities will offer every inducement to men to form N. G. Albany, N. Y., Dec. 24.—New York state authorities will offer every inducement to men to form N. G.

MAJ. GEN. RHODES FELL 1900 FEET

American Armistice Leader
Badly Injured; His Com-
panion Was Killed

HAMPERED BY FOG, PILOT LOST BEARINGS

Their Machine Fell at Lou-
vres, Near Paris, Yes-
terday Afternoon

Paris, Dec. 24 (Havas).—The condition of Major-General Charles D. Rhodes, who was injured in the fall of an airplane at Louvres, northeast of Paris, Monday afternoon, showed great improvement during the night. In the accident the pilot of the machine, a British officer, was killed.

Hampered by the dense fog, the pilot lost his bearings and was trying to avoid landing in the heart of the city when his machine was hurled down heavily.

"If I have been inefficient, I ought to be removed," said Dr. Mott. "If anybody else has, he or she ought to be removed. We want to know our shortcomings, both of omission and commission, so that as far as possible they may be corrected."

Dr. Mott's decision to turn the inquiry over to the war department was based on a report to him by P. T. Edrop, a Y. M. C. A. chaplain, who had made a preliminary investigation. Summarizing specific complaints, Mr. Edrop stated that the soldiers charged that in certain sectors canteen charges were excessive; in others that there was lack of supplies for free distribution near the firing lines and in some cases for sale as well; that there was a congestion of secretaries in large cities and a noticeable lack of workers near the front at some points; that some secretaries alienated the sympathies of the troops through an assumption that their mode of living was demoralizing and that workers did their tasks grudgingly and idled whenever possible.

On the other hand, Mr. Edrop said, evidence was abundant, including official citations by American and allied commanders, of the heroism and devotion to duty of many Y. M. C. A. workers.

GERMANY HOLDS BACK
SOME OF HER U-BOATS

Has Not Completely Complied with the
Terms of Armistice Calling for De-
livery of All Her Submarines.

Paris, Dec. 24 (Havas).—The Germans have not completely complied with the clause of the armistice providing for the delivery of all their submarines, according to the Matin. The newspaper points out particularly in this connection the presence at Trondheim, on the Norwegian coast, of submarine cruiser U-457. This is a vessel of the most recent type, displacing 1,800 tons, credited with having made a cruise of four months and a half without making port.

CITED BY THE FRENCH.

Total of 185 Americans for Valor in Several Battles.

Paris, Monday, Dec. 23.—The names of 185 American soldiers, cited for bravery during the fighting of Oct. 3 to Oct. 10 at St. Etienne, Blanc Mont and Meuse, are printed in the Journal Officiel. The men belonged to the 8th regiment of marines, the 9th infantry, the 23d infantry, the 5th regiment of marines, the 6th marine machine gun battalion, the 5th machine gun battalion, the 4th marine machine gun battalion, the 2d regiment of engineers and the ambulance.

AMBASSADOR SHARP COMING.

Will Return to United States Because of
Brother's Illness.

Paris, Monday, Dec. 23.—William G. Sharp, American ambassador to France, called upon President Wilson this evening to bid good-bye, as he has been unexpectedly called to America by the severe illness of a brother. He leaves tonight, going to Brest, where he will sail for New York on a transport. Robert Woods Bliss, counselor of the embassy, will be charge d'affaires during his absence.

REDS WIN IN ESTHONIA.

Have Captured Dorpat—German Forces
There Fall Back on Riga.

Stockholm, Dec. 24.—The bolsheviks are making considerable progress with their penetration of Esthonian territory, the official statement of the Esthonian republic for Monday shows. They have taken Dorpat, about 25 miles west of Lake Peipus, and have forced the Esthonian back on the Wessenberg front northwest of Lake Peipus. The German forces in this region are continuing to fall back upon Riga.

WILSON CABLES CONDOLENCES

To Mrs. Walter H. Page, Wife of Former
Ambassador to London.

Paris, Dec. 24.—President Wilson today cabled his condolences to Mrs. Walter H. Page on the death of her husband, the former American ambassador in London. Mrs. Wilson to-day made personal and official Christmas calls, leaving the president's cars.

ROME WILL SURRENDER

Freedom of the City Will Be Granted to
President Wilson.

Rome, Dec. 24 (Havas).—The freedom of the city of Rome will be bestowed upon President Wilson on his visit here. The city council yesterday voted to take such action, as proposed by Prince Colonna, the mayor of Rome. The resolution was adopted by acclamation.

GOV. MCCALL ILL.

Confined to Bed and His Family Plan
Christmas Reunion in His Home.

Winchester, Mass., Dec. 24.—Governor McCall, who is ill with a severe cold, has been advised by his physician to remain in bed over the Christmas holidays. Members of his family are planning a reunion in his room to-morrow.

WILSON REJECTS DIVIDED RELIEF

Will Retain Task of Provi-
sioning People Under
a Single Head

HAD A CONFERENCE WITH HOOVER TO-DAY

Appeal of French for Ship-
ping Construction Also
Set Aside

Paris, Dec. 24.—Herbert C. Hoover, American food administrator, and Edward N. Hurley, chairman of the American shipping board, called on President Wilson by appointment late to-day. Mr. Wilson's visit was in connection with provisioning sections of Europe where great food shortages exist or are threatened as the result of the overrunning of the country by German troops, or the inability of the inhabitants to find labor to till the soil.

Although suggestions that relief work in these sections be placed in the hands of an international committee have come from some entente countries, the work of supplying food probably will be retained under one head. This head, it seems certain, will be Mr. Hoover, who has prepared tentative plans for the extension of the machinery he has already created for the relief of devastated portions of Belgium and France.

Mr. Hurley talked with Mr. Wilson on shipping subjects. One feature of the problem is the application of the French government for permission to rehabilitate its merchant marine through the use of great American shipbuilding plants which were developed to meet war needs. The French government has already reminded Mr. Wilson that France was compelled, in the common interest of the entente, to suspend the construction of merchant ships.

Due consideration is being given this claim, but it is understood that the chairman of the shipping board is disposed to withhold American shipbuilding facilities from all foreign customers until the final peace treaty is signed. Mr. Hurley intended to return immediately to America, but because these subjects probably will soon become a matter of negotiation, has decided to remain in France indefinitely.

BARRE MAN MISSING.

Private Charles Trentini Was a Granite
Polisher.

Private Charles Trentini, whose name appears in to-day's casualty list as being among the men missing in action, was a granite polisher in Barre until he joined the colors last spring. He is well known among the younger people of the Italian colony in Barre.

Williamstown Man Wounded.

Mr. and Mrs. H. B. Waldo of Williamstown received a telegram to-day saying that their son, Private Everett H. Waldo, an infantryman, was severely wounded in action about Nov. 10. Official intelligence of the young man's injury was preceded a few days ago by a letter in his own handwriting, dated Nov. 27. He spoke of his wound and said he had so far recovered as to be able to be transferred to a convalescent hospital. Private Waldo saw service on the Mexican border. His older brother is with the army in France. Three brothers and a sister are at home, and another brother is a student in Montpelier seminary.

FOUR TOWNS SENT NONE.

Were Not Represented in the Service, So
Far as Reported.

According to the records that the towns have furnished the adjutant general's office, there are four towns in the state that have not furnished men in the present war. Possibly later data may be furnished which will show differently, but on present records Gloucester, N. H., Baltimore and Fletcher have not furnished a man for the defense of the country. Adjutant General H. T. Johnson has written to town officers and others in the state, asking them to furnish a list of men who went from their respective towns. He finds many changes in the registrations as compared with the claims of the towns.

It is not infrequent that two towns are claiming the same man. Later many of these differences will be rectified. Such occurs in Barre Town and City, Newport Town and City, St. Albans Town and City, where it is hard to tell from which place the men originally went into service.

FUNERAL OF K. R. SAWYER

Was Held This Morning and Body Was
Taken to Middlesex Center.

At 10 o'clock this forenoon a private funeral was held for Karl R. Sawyer, whose death Sunday morning followed a ten day illness of influenza pneumonia. Rev. F. L. Goodspeed, pastor of the Barre Congregational church, officiated at the services, which took place in the Sawyer home, 42 Merchant street. The Barre armie of Eagles and the Montpelier lodge of Elks were represented in the list of bearers, who were: A. J. Guthrie, Fred W. Bancroft, John B. Eames, David McDonald, W. N. Theriault and J. J. Gaudet. There were a number of fine floral tributes.

The body was taken to Middlesex Center for interment in the village cemetery. The Elks' committal service was given at the graveside.

IS SEVERELY INJURED.

Private Newton A. Hulbert of Bristol,
Previously Reported Missing.

Washington, D. C., Dec. 24.—The war department announced to-day that Private Newton A. Hulbert of Bristol, Vt., who was previously reported missing in action, is now listed as severely wounded.

To-morrow, Christmas day, The Times will not be printed.

FIRE CHIEF GLADDING GOT FINE FAREWELL

City Officials and Others Joined in Giving
Expression to Regret That He Is to
Leave the Department.

City officials, department superintendents, police, firemen and all the company of municipal employees joined plain citizens in plain clothes last evening in various expressions of good will toward a prophet "with honor in his own country" who also enjoys a healthy reputation for efficiency as a firefighter that is statewide—C. B. Gladding, the retiring chief of Barre's fire department. The big official farewell, staged on the second floor of the fire station, had a small beginning. Its origin was with the firemen who desired to attest in a simple and inconspicuous way their high regard for a chief whose leadership they admire and whose authority they respect. It began with a gold-mounted briar pipe, neatly encased, and it neared its end with a handsome leather arm chair, both headed in the direction of him who was the guest of honor.

A company of more than 50 citizens, including many business and professional men, waited for the chief as he returned to the station around 7 o'clock. Being farewelled in such a pretentious way had no part in his plans for the evening until he saw long tables spread across the lounging room of the regulars. The firemen had prepared an excellent Italian supper, and after the guests had been seated a brief musical program preceded the supper. Reardon's knickerbocker orchestra, its output for the evening well saturated with jazz, was the particularly popular feature of the early evening.

At the after-dinner exercises the guests got their first chance to explain their feelings toward the fire chief. Telling him how he lines up in the affections of the firemen was an impressive feature of the program, for the unadorned testimony of the men who have served with the chief these many years seemed to come straight from the heart. City Clerk James Mackay did the honors at the head of the table, and the first speaker was Nelson D. Phelps, the oldest ex-chief, and E. M. Tobin, in years of service the youngest chief, for he is just on the point of taking over the scepter, or helmet, or whatever is the symbol of authority in fire departments.

Mr. Phelps' remarks were full of interesting reminiscences and during his 10-minute contribution to the program he exhibited the badge worn by him when he was a fireman. Mr. Tobin spoke of his years of service with the chief, and paid sincere tribute to his predecessor. Others who manifested in thoughtful words their deep regret over the chief's impending change of work made sure to express their new wishes in his new environment. Among the speakers that followed were: Mayor E. C. Glysson, Aldermen A. A. Milne, Duncan J. McMillan and Stephen Rizzi, all of whom agreed that the city council was very loath to accept Mr. Gladding's resignation. It was the mayor who spoke first for the firemen, and then for the chief's long retinue of friends and acquaintances, in presenting the briar pipe and the arm chair, a combination which, said his honor, would work well at the end of the industrious days ahead.

Tribute piled on tribute, and congratulatory remarks were mingled with obvious regret as the after-dinner speakers, called upon at random, told the chief they were sorry he is going and glad that opportunity awaits him in another department. Mayor Glysson was followed by ex-Mayor W. H. Ward, Rev. John B. Reardon, overseer of the charity department, and a near neighbor of the chief's official residence; Earl C. Cutler, C. E. Cutler, C. W. Camp, Frank G. Rogers and James Sullivan, veteran firemen all; Supt. Alex. Hanton of the city cemeteries, a former fireman, Private John Downs, W. G. Reynolds, Chief Samuel Sinclair of the police department, and Constable George L. Morris.

The tuneful doings of the young orchestra were interspersed during the evening with vocal and guitar selections by George LaViolette and Louis Labelle, and vocal selections by James Hogg. All of the musicians were heartily applauded.

Chief Gladding at New Year's will sever ties that have been in the making for nearly a quarter-century. It was on the night of May 13, 1896, that he joined the department as a call man. Another chapter of his life was the time when the city council has selected to fill his place, Chief-elect Tobin. It was on April 1, 1905, that Mr. Gladding became chief. In the years of his office tenure he has been the moving spirit in perfecting a serviceable fire department that has met every one of the emergencies for which it was created. Partial motorization of the department was accomplished during his regime, and many other progressive measures were carried out. Chief Gladding has found time for activities in the Vermont State Firemen's association, where his counsel is held in the highest regard. He is a past president of the organization and at present a member of the executive committee. Running matches between the various hose teams of the state have found a warm advocate in Barre's retiring chief, and in a long list of such competitions, many of them won by the Barre runners, he has been a consistent exponent of good sportsmanship.

Chief Gladding's election as superintendent of cemeteries to succeed Mr. Hanton was unanimous. His successor is no less well known in the department of to-day. As assistant engineer he has gained a valuable working knowledge of what the office requires, and many prophesies for him a large measure of success. Mr. Tobin for a number of years has been superintendent of the Trow & Holden plant on South Main street.

ELECTED OLD OFFICERS.

Barre Branch, G. C. I. A., Held Largely
Attended Meeting.

One of the largest gatherings of graniticians in some time met at Clan Gordon hall last evening to elect officers for the ensuing six months, and to transact other important business. The same official slate for the first six months of 1919 was retained by the voters, the personnel being as follows:

President, Henry Alexander; vice-president, John J. Frontini; corresponding secretary, Joseph D. Will; financial secretary, James Smart; treasurer, William McDonald of Addison place; auditors, Alfred Milne, Alex. Ironside, Silvio L. Carlini; trustees of the local fund, the treasurer, James Kidd and O. Cabrin.

Appointive officers were named as follows: Adjustment committee, Andrew Mitchell, James Cruickshank, J. J. Frontini; doorkeeper, Joseph D. Thomas.

SCHOOLS NEED MORE MONEY

Barre Comm. Members Ask
Aldermen to Secure an
Amendment to Charter

SO AS TO RAISE RATE BY TAXATION

Claim Made That Barre Is
Not Keeping Pace with
Other Places

To keep pace with the steadily climbing expenses of maintenance and to secure for the children of the city educational privileges on a level with those of other municipalities, members of the Barre school commission are asking for legislation that will permit the electorate to provide a larger annual school fund by increasing the tax rate. The subject was discussed at a joint conference of the board of aldermen and the commission at city hall yesterday afternoon, with the result that the aldermanic legislation committee has taken under advisement suggestions for bringing about the desired authority for increasing the tax rate. An amendment to the charter is the first step, and to amend the charter the city must obtain a legislative enactment from the general assembly.

It is a matter of common knowledge that the yearly tax levy for the maintenance of the schools has left little leeway for advancing the salaries of the teachers. Figures showing the comparative salaries received by teachers in Barre and Montpelier were submitted before the aldermen by Supt. C. H. White, who accompanied the school commission on their visit to the council chamber. The argument, in support of the statistics, was advanced that Barre cannot expect to retain its experienced teachers or to secure the services of desirable instructors unless it is ready to pay the price that teachers are compelled to ask under present living conditions.

The salaries of grade teachers in Montpelier, so far as the superintendent's report, range from \$650 to \$850; from \$475 to \$650 in Barre. Women teachers in Montpelier high school receive from \$700 to \$1,200; at Spaulding, from \$700 to \$1,000. Men teachers are getting from \$1,400 to \$1,900 in Montpelier. In Barre the salaries paid range from \$1,200 to \$1,900. Appended to the report was an item anticipating \$1,000 for domestic science equipment and \$1,000 for a teacher.

It was the regular weekly meeting of the aldermen, called a day earlier than usual in order to approve the city payroll before Christmas. The school commissioners, W. T. Calder, John C. Booth and W. H. Eager, with Supt. White, were heard first. After citing the impending increase in teachers' salary, Mr. Calder, who was presenting the case, said that coal, repairs and other expenses were increasing, while the city's share of the state school fund is steadily decreasing year by year. Supt. White said that in other years Barre used to receive from \$6,000 to \$8,000 as its share of the redistribution. In one year it slumped to \$2,400, and last year it was \$1,900. The city charter at present permits the assessment of a 70-cent school tax, and latterly an extra school tax of 15 cents has been levied. The commissioners found in the city fathers a sympathetic audience, and the conference ended amicably. Mr. Calder's motion to refer the proposed amendment to the legislation committee was seconded and carried without dissent.

Barre is to have a poultry show after all and the city government is going to co-operate to the extent of donating the use of the opera house. As delegates of the Vermont Poultry association, Judge H. W. Scott and Edwin Keast said that Jan. 21, 22 and 23 are tentative dates for the show, which the organization proposes to hold despite the fact that the war has played havoc with most poultry associations. The aldermen were informed that the government is urging every association to hold its annual show this year. No admission will be charged and the committee promised to leave the theatre in good condition after the show. Permission to use the hall was granted on a motion made by Alderman McMillan.

Two measures which the aldermen purpose to carry before the general assembly for action were discussed and referred back to the committee on legislation. Relief from payment of board bills created by delinquent taxpayers jailed by the constable is sought in a proposed amendment calculated to make delinquency a misdemeanor, so that the delinquent may be made to work out his board and, possibly, the tax. The subject of changing the date when the collection of taxes shall be gotten under way was also discussed.

Alderman Rizzi introduced a suggestion that was quickly approved when he asked that steps be taken toward providing a statute whereby the banks may be required to reveal the amount of money on deposit if the deposit is credited to a person whom the city is assisting. It was argued by members of the board that known cases have developed where city dependents had a snug sum to their credit in the bank. The suggestion was relayed to the legislation committee.

The city council order directing Building Inspector Oscar Slayton to raze a shed on Hall street if the owner did not raze it before Dec. 21 is to take its course. This notwithstanding a request from Bertha M. Rugg-Gillard of Lowell, Mass., the owner, and H. A. Rugg, the agent of the property, that the shed be held in abeyance until after the holidays. The building has been condemned as a menace and the owner was notified early in December to remove it.

The following warrants were approved for payment: Street payroll, \$177.15; G. N. Tilden, for the park commission, \$254; engineering payroll, \$17.31; water payroll, \$162.37; sure payroll, \$148.76; police payroll, \$103.70; James Smart, \$46.20, services as health officer; Henry Alexander, \$92.10, services as alderman; Nelson Parker, \$8.96, labor; C. E. Cutler, \$10.80, services in the fire department; Louise H. Gridley, \$18, services in the charity department; street sprinkling assessment, \$90.79; engineering department, \$113.38; labor for other departments, \$60 for J. F. Spencer as compensation.

Just before adjournment the aldermen took their customary fling at a warrant prepared in connection with the assessors' payroll, but no action was taken.